

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GLORIA MOORE.,

Plaintiff,

– against –

MONTEFIORE MEDICAL CENTER,

Defendant.

ORDER

22 Civ. 10242 (ER)

RAMOS, D.J.:

On March 9, 2023, Montefiore Medical Center filed a motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). Doc. 7. The motion is hereby dismissed without prejudice.

In the first instance, on February 10, 2023, the Court referred this matter to the Mediation Program pursuant to Local Civil Rule 83.9. Doc. 3. Mediation has not yet taken place, and Montefiore has not requested to be exempt from the mediation requirement. The parties are therefore directed to participate in mediation in accordance with the previously entered order.

In the second place, the motion was filed in contravention of the Court's Individual Rule 2(A)(ii), which requires the moving party to request an informal conference with the Court before the filing of any such motion. If mediation is unsuccessful, Defendant may at that time file a letter seeking a pre-motion conference.

The Clerk of Court is respectfully directed to terminate the motion, Doc. 7.

It is SO ORDERED.

Dated: March 10, 2023
New York, New York



EDGARDO RAMOS, U.S.D.J.